

REMARKS

Applicants respectfully request that the foregoing amendments be made prior to examination of the present application.

Claims 16 has been amended to recite that “said apoptotic bodies exhibit at least two characteristics comprising DNA fragmentation, surface exposure of phosphatidylserine, or altered mitochondrial membrane permeability,” to clarify the claimed invention. Claim 16 has also been amended to correct minor grammatical errors.

Support for this amendment can be found, for example, at page 1, line 29 – page 4, line 17 and page 7 line 20 – page 8, line 8 of the specification.

New claim 29 has been added. Claim 29 is similar to amended claim 16 but recites additional characteristics of apoptotic cells, which may be associated with the cells used to practice the invention. Support for these additional characteristics can also be found, for example, at the above-references pages of the specification.

No new matter has been added by these amendments.

CONCLUSION

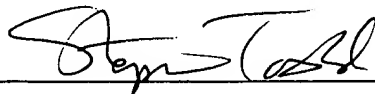
Applicants believe that the present application is now in better condition for examination and allowance. Favorable consideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Respectfully submitted,

Date: January 4, 2005

By  _____

FOLEY & LARDNER LLP
Customer Number: 38706
Telephone: (650) 251-1155
Facsimile: (650) 856-3710

Stephen Todd
Attorney for Applicant
Registration No. 47,139